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PATENT

Fil No. B-1075 F2C2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Peter Van Voris, Dominic C. Cataldo, and  
Frederick G. Burton

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: METHOD AND DEVICE FOR PROTECTION OF WOODEN OBJECTS PROXIMATE SOIL FROM  
PEST INVASION

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the  
 nonprofit organization identified below:

NAME OF ORGANIZATION Battelle Memorial Institute  
Pacific Northwest Laboratories  
 ADDRESS OF ORGANIZATION Post Office Box 999, Richland, WA 99352

## TYPE OF ORGANIZATION:

☒ Nonprofit Scientific or Educational Under Statute of State of the  
 United States of America  
 (Name of State Ohio)  
 (Citation of Statute Sections 1719.01 and 1719.05, Rev. Code  
of Ohio)

I hereby declare that the nonprofit organization identified above qualifies as  
 a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying  
 reduced fees under section 41(a) and (b) of Title 35, United States Code with  
 regard to the invention entitled METHOD AND DEVICE FOR PROTECTION OF WOODEN  
OBJECTS PROXIMATE SOIL FROM PEST INVASION by inventor(s) Peter Van Voris,  
Dominic C. Cataldo and Frederick G. Burton described in

☐ application executed \_\_\_\_\_  
☒ specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME NONE  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Paul W. Zimmerman  
TITLE OF ORGANIZATION Contracting Officer, Pacific Northwest Division,  
Battelle Memorial Institute  
ADDRESS OF PERSON SIGNING Post Office Box 999, Richland, WA 99352

SIGNATURE Paul W. Zimmerman DATE 9/6/12/20

COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND DEVICE FOR PROTECTION OF WOODEN OBJECTS PROXIMATE SOIL FROM PEST INVASION, the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_

☐ and was amended on \_\_\_\_\_  
(if applicable)

☐ with amendments through \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such applications have been filed

☐ such applications have been filed as follows

Prior Foreign Application(s)			Priority Claimed	
NONE				
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>[ ]</u> Yes	<u>[ ]</u> No
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>[ ]</u> Yes	<u>[ ]</u> No

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/484,967</u> (Application Serial No.)	<u>06/07/95</u> (Filing Date)	<u>PENDING</u> (Status - patented, pending, abandoned)
<u>08/350,432</u> (Application Serial No.)	<u>12/05/94</u> (Filing Date)	<u>PENDING</u> (Status - patented, pending, abandoned)
<u>08/050,761</u> (Application Serial No.)	<u>04/20/93</u> (Filing Date)	<u>ABANDONED</u> (Status - patented, pending, abandoned)
<u>07/402,122</u> (Application Serial No.)	<u>09/01/89</u> (Filing Date)	<u>ABANDONED</u> (Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Paul W. Zimmerman, Registration No. 34,761 /  
Douglas E. McKinley, Jr., Registration No. 40,280

Address all correspondence to:

Paul W. Zimmerman (K1-53)  
Intellectual Property Services-  
Battelle Memorial Institute  
Pacific Northwest Division  
Post Office Box 999  
Richland, WA 99352

Direct all phone calls to him at (509) 375-2981

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00  
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Inventor's signature

Peter Van Voris

12/17/96

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12/14/96

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Full name of second joint inventor <sup>3-00</sup> Frederick G. Burton

Inventor's signature

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12/18/96

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